



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE May 6, 2005 EFFECTIVE DATE May 20, 2005	CONTACT/PHONE Jay Johnson (805) 781-4573	APPLICANT Crandell/Davway	FILE NO. DRC2004-00200
SUBJECT Hearing to consider a request by Rob Crandall for a Minor Use Permit to modify secondary dwelling standards to allow an existing 1,142 square foot dwelling as the secondary dwelling, add a new 2,650 square foot primary dwelling, and modify detached garage/workshop standards to allow a 2,400 square foot detached garage/workshop. The proposed project is within the Residential Rural land use category and is located on the northwest corner of Halcyon Road and Pine Ridge Lane, approximately ½ mile east of El Campo Road, south of the City of Arroyo Grande. The site is in the South County (Inland) planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00200 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on March 29, 2005			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 075,351,044	SUPERVISOR DISTRICT(S): 4
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: 22.30.470 – Secondary Dwellings, 22.30.410C – Garages <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on May 20, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: 1,142 square foot single-family dwelling			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Residential Rural/Residences East: Residential Rural/Residences</i> <i>South: Residential Rural/Residences West: Residential Rural/Residences</i>			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to:, Public Works, CDF	
TOPOGRAPHY: Level to moderately sloped	VEGETATION: Grasses, pines and ornamentals
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: On-site septic system Fire Protection: CDF	ACCEPTANCE DATE: March 29, 2005

DISCUSSION

LAND USE ORDINANCE STANDARDS:

22.30.470 – Secondary Dwellings: Where a site is served by a on-site well and septic systems, secondary dwellings are limited to 800 square feet on sites less than 5 acres, net. The applicant's property is 5.00 acres (4.66 acres net). A secondary dwelling greater than 800 square feet on properties smaller than 5.00 acres net may be authorized with Minor Use Permit approval. Staff supports modifying the size standard because the smaller dwelling exists (it will become the secondary dwelling after construction of the primary dwelling) and a 1,142 square foot dwelling on 4.66 acres is roughly proportionate to a 1,200 square foot dwelling on a five-acre parcel. There are similar sized secondary dwellings throughout the immediate vicinity. Across the street from this project a Minor Use Permit was approved to construct a secondary dwelling larger than 800 square feet on less than 5 acres prior to construction of the primary dwelling.

22.30.410C – Garages – Detached garages are limited to 1,000 square feet plus 40% of the primary dwelling for workshop space. This would allow for a 2,060 square foot garage/workshop for the primary dwelling. The size of a detached garage may be modified through Minor Use Permit approval. Staff supports this request because the secondary dwelling could also have a 1,000 square foot garage for a total of 3,060 square feet. Any future detached garage for the secondary dwelling should be limited to 660 square feet (or less, if Land Use Ordinance standards change limiting the size of garages for secondary dwellings).

AGENCY REVIEW:

Public Works – No comments received

CDF – Standard fire safety requirements that are addressed with construction permits.

LEGAL LOT STATUS:

The lot was legally created by certificate of compliance for COAL 01-0168.

EXHIBIT A - FINDINGS

Minor Use Permit

- A. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- B. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project site is large enough for all structures, accessways, and drainage facilities; no significant vegetation will be removed; the project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because other similarly sized secondary dwellings exist in the immediate vicinity and the detached garage/workshop is similar in scale to other detached accessory structures in the vicinity.
- E. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located off Halcyon Road, which is constructed to a level able to handle any additional traffic associated with the project.
- F. Modification of the maximum floor area for secondary dwellings from 800 square feet to allow a secondary dwelling of 1,142 square feet is justified because there are specific conditions of the site that make the standard unnecessary. These conditions consist of no additional grading or tree removal is necessary to establish the larger dwelling as it exists and the 1,142 square foot dwelling is roughly proportionate to a 1,200 square foot dwelling on a 5 acre parcel.

CEQA Exemption

- G. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. modification of secondary dwelling standards to allow an existing 1,142 square foot dwelling as the secondary dwelling and construction of a new primary dwelling.
 - b. modification of detached garage/workshop standards to allow a 2,400 square foot detached workshop/garage.
 - c. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan.
3. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

Services

5. **At the time of application for construction permits**, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Owner Occupancy Requirement (for secondary dwellings only)

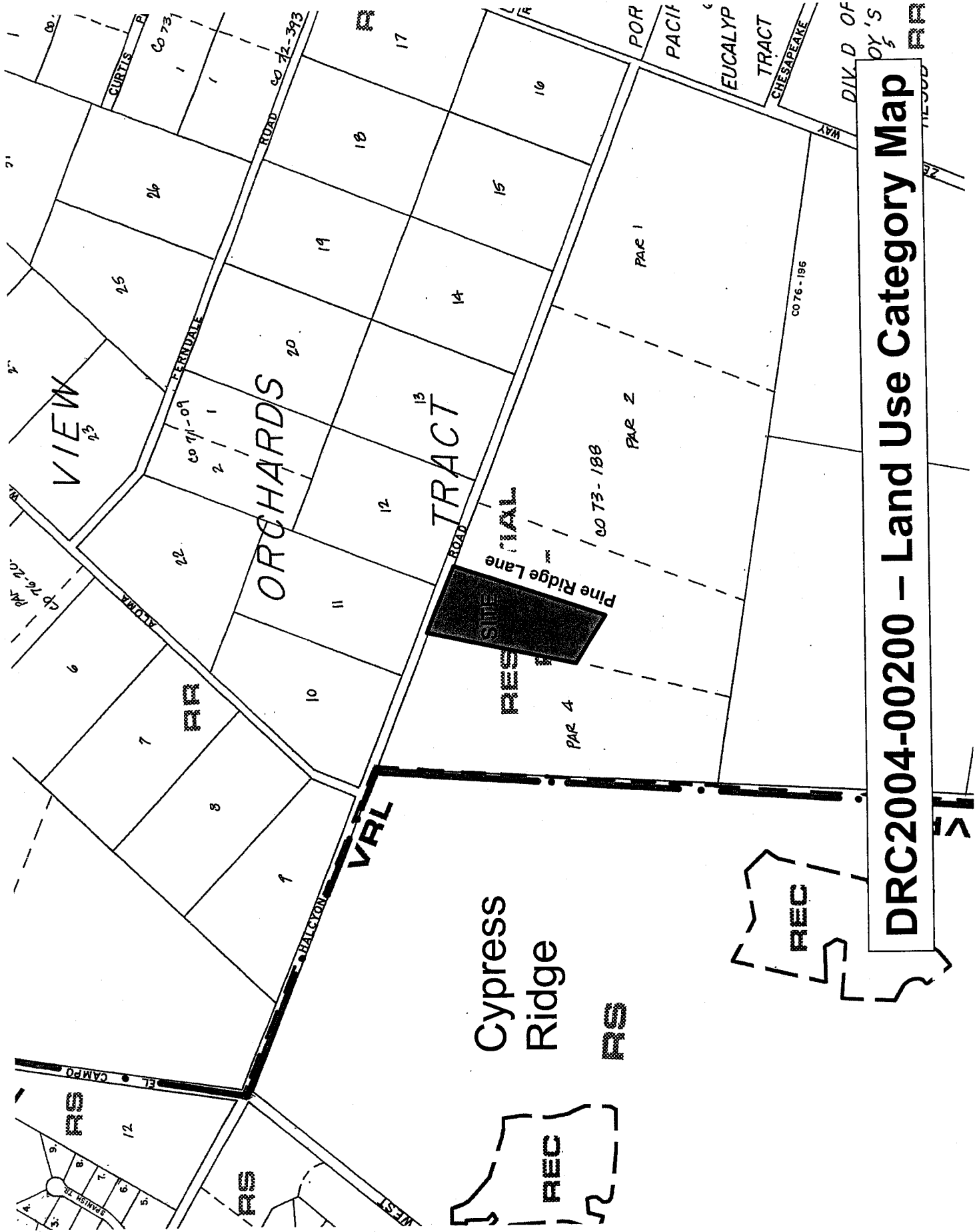
8. **Prior to issuance of a construction permit**, the applicant for the second unit shall record a notice against the property notifying any subsequent purchaser that failure to meet this requirement will subject the second unit to abatement by the county pursuant to Chapter 22.74 of this title. No secondary dwelling shall be allowed on the site unless an owner of the site agrees to occupy one unit on the site as his or her primary residence.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

9. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

10. Future detached garages for the secondary dwelling shall be limited to 660 square feet unless the Land Use Ordinance otherwise requires a smaller detached garage.
11. Direct access to Halcyon Road is prohibited. All access shall use a combined driveway from Pine Ridge Lane.
12. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
13. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

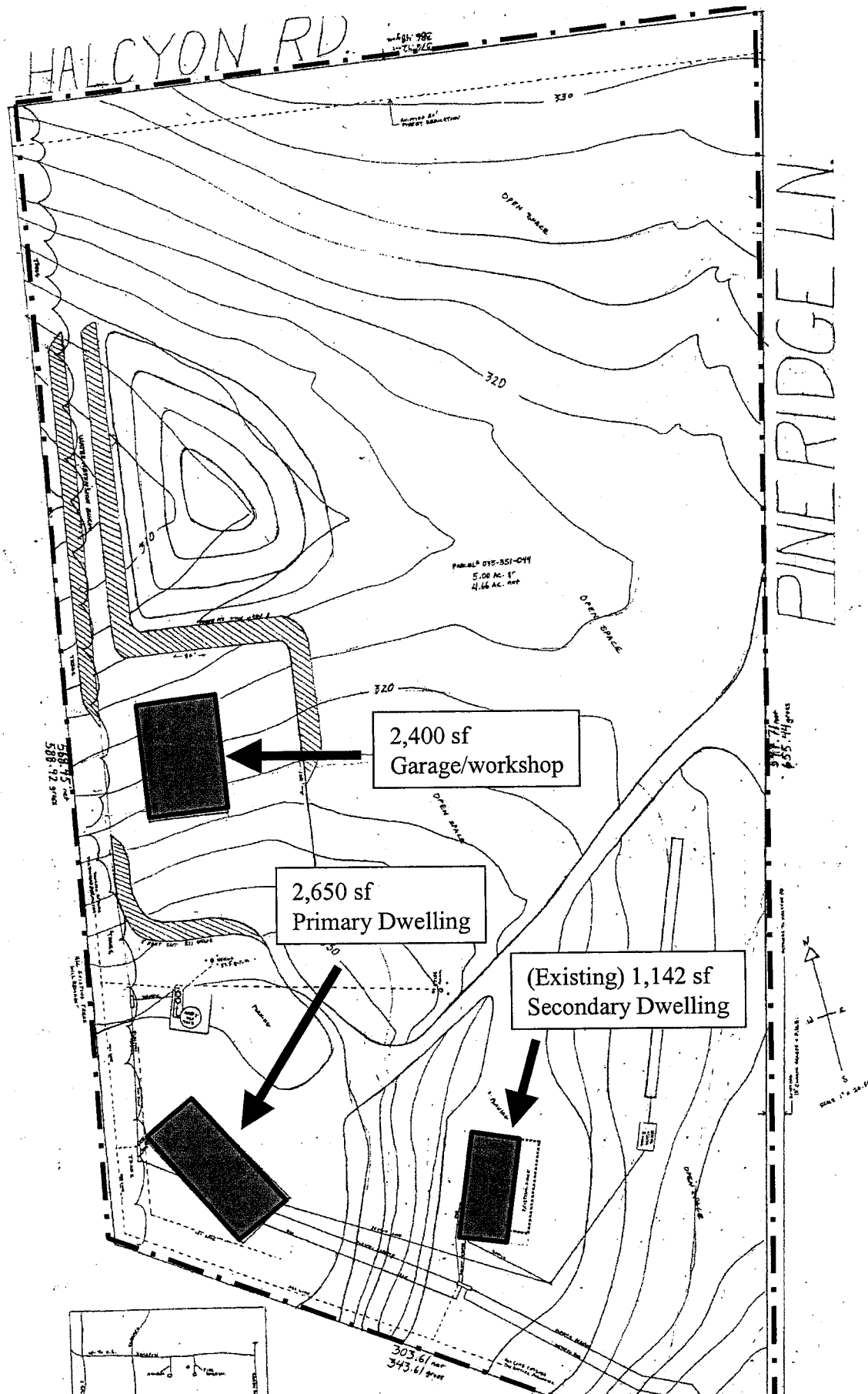


DRC2004-00200 - Land Use Category Map

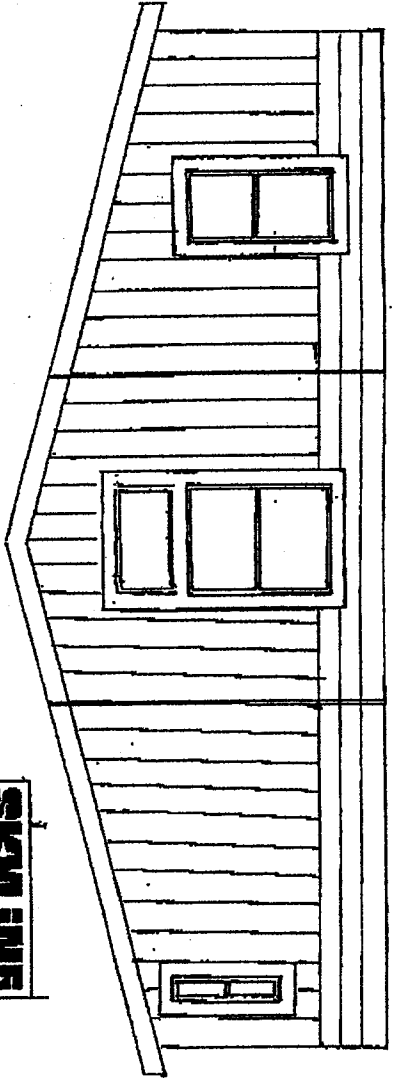
Cypress
Ridge
RS

REC

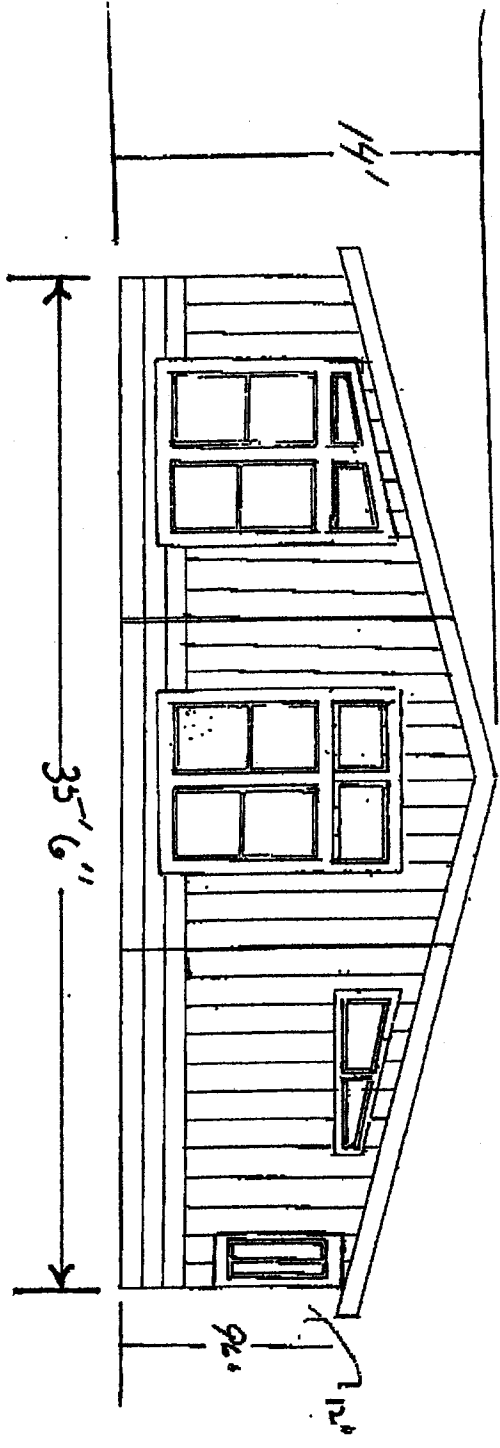
REC

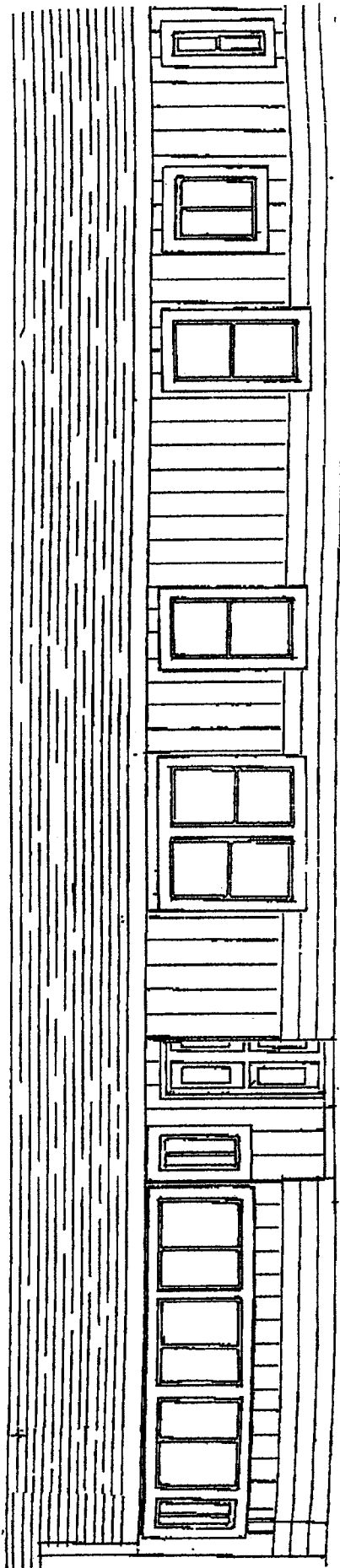


DRC2004-00200 – Site Plan

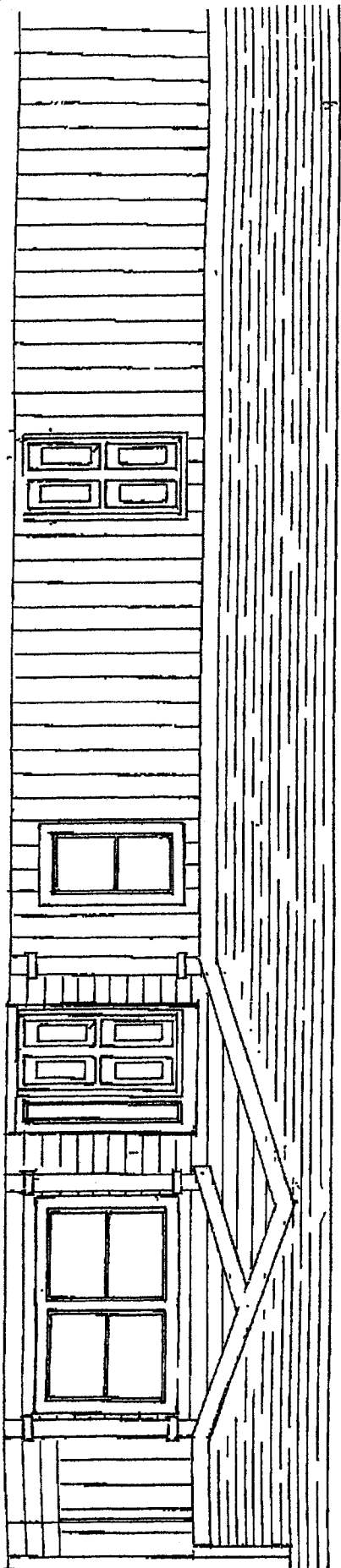


BOX LENGTH		DESCRIPTION		DRAWING NUMBER	
65'-0"		6839-37-28-CAM		3830-C1	





SKYLINE			
DRAWN BY: L. WIND TONG, NY		DATE: 6/21/70	
PROJECT: 6536-374-28-CAH		DRAWING NUMBER: 3810-C1	
BOX LENGTH:		DESCRIPTION:	
6536-374-28-CAH		3810-C1	



OVERALL LENGTH 72'6"

